



JC07 Rec'd 7/PTO 31 AUG 2005 #8

Docket.No.: M0025.0312/P312
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Simon Betson et al.

Application No.: 10/505,327

Filed: August 23, 2004

For: AN ACTUATOR

Confirmation No.: 3768

Art Unit: N/A

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

18 JAN 2006

Legal Staff
International Division

Dear Sir:

In response to the Notification of Missing Requirements – Filing Date Granted mailed January 28, 2005, Applicant respectfully submits a Combined Declaration and Power of Attorney.

This is a second, corrected submission. The Declaration was previously executed by the sole inventor, Simon Betson. However, in a Communication mailed March 31, 2005, the Office of PCT Legal Administration brought to the attention of Applicant that the Declaration was also incorrectly executed by the two co-owners (not inventors) of the application, Raymond Smyth and Laurence Smyth. The Declaration submitted herewith is properly executed only by Mr. Betson, thereby correcting the noted defect. Our Credit Card was previously charged \$65.00 covering the fee set forth in 37 CFR 1.16(f).

Upon receiving the executed Declaration and preparing the present submission, it came to the attention of Applicant on August 30, 2005 that the due date for filing the Declaration had expired, and that the extension period available (five months from March 28, 2005) had also expired. Should the Patent Office determine that the present application is abandoned, Applicant respectfully states that such abandonment was unintentional and hereby petitions to revive the application on that basis. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M0025.0312/P312.

Dated: August 31, 2005

Respectfully submitted,

By 

Stephen A. Soffen

Registration No.: 31,063

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Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|

10/505,327

Simon Betson

M0025-0312/P312

INTERNATIONAL APPLICATION NO.

PCT/IE03/00027

LA. FILING DATE

PRIORITY DATE

02/21/2003

02/21/2002

24998

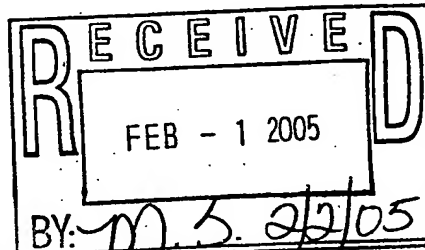
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
2101 L Street, NW
Washington, DC 20037

CONFIRMATION NO. 3768

371 FORMALITIES LETTER



OC000000015050649



Date Mailed: 01/28/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 08/23/2004
- Copy of the International Search Report filed on 08/23/2004
- Copy of IPE Report filed on 08/23/2004
- Preliminary Amendments filed on 08/23/2004
- Information Disclosure Statements filed on 08/23/2004
- Small Entity Statement filed on 08/23/2004
- Request for Immediate Examination filed on 08/23/2004
- U.S. Basic National Fees filed on 08/23/2004
- Priority Documents filed on 08/23/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FOR [REDACTED] MUST BE SUBMITTED WITHIN [REDACTED] MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/505,327 | PCT/IE03/00027 | M0025.0312/P312 |

FORM PCT/DO/EO/905 (371 Formalities Notice)